

JPW 1644



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Adrian Gilbert et al.  
U.S. Serial No.: 09/788,131 Examiner: P. VanderVegt  
Filed : February 16, 2001 Group Art Unit: 1644  
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New York, New York 10036  
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Alexandria, VA 22313-1450

SIR:

**EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT PURSUANT TO 37 C.F.R. §1.97(c)(2)**

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following publications which are listed again on the attached Form PTO-1449 (**Exhibit A**). Copies of References 16-42 are attached hereto as **Exhibits 1-27**.

This Eighth Supplemental Information Disclosure Statement is being submitted after the issuance of a first Office Action on the merits in connection with the subject application, but prior to the issuance of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311 or an action that otherwise closes prosecution. Pursuant to 37 C.F.R. § 1.97(c)(2), the required fee for filing an Information Disclosure Statement is \$180.00 and a check in this amount is enclosed. Accordingly, this Eighth Supplemental Information Disclosure Statement shall be considered pursuant to 37 C.F.R. §1.97(c)(2).

04/28/2005 RFEKADU1 00000027 09788131

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1. U.S. Patent No. 6,514,938, issued February 4, 2003 to Gad, et al.;
2. U.S. Patent No. 6,800,285, issued October 5, 2004 to Rodriguez, et al.;
3. U.S. Patent No. 6,800,287, issued October 5, 2004 to Gad, et al.;
4. U.S. Patent No. 6,844,314, issued January 18, 2005 to Eisenbach-Schwartz, et al.;
5. U.S. Patent Application Publication US-2002-0077278, published June 20, 2002 (Yong et al.);
6. U.S. Patent Application Publication US-2002-0055466, published May 9, 2002 (Aharoni, et al.);
7. U.S. Patent Application Publication US-2002-0107388, published August 8, 2002 (Vandenbark, et al.);
8. U.S. Patent Application Publication US-2002-0115103, published August 22, 2002 (Gad, et al.);
9. U.S. Patent Application Publication US-2002-0182210, published December 5, 2002 (Rodriguez, et al.);
10. U.S. Patent Application Publication US-2003-0170729, published September 11, 2003 (Klinger, Ety);
11. U.S. Patent Application Publication No. US-2004-0006022, published January 8, 2004 (Strominger, et al.);

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12. U.S Patent Application Publication No. US-2004-0106554 A1,  
published June 3, 2004 (Konfino, et al.);
13. U.S. Patent Application Publication US-2005-0014694,  
published January 20, 2005 (Yong, et al.);
14. U.S. Patent Application Publication No. US 2005-0019322,  
published January 27, 2005 (Rodriguez, et al.);
15. U.S. Patent Application Publication No. 2005-0038233,  
published February 17, 2005 (Gad, et al.);
16. PCT International Application No. PCT/US00/14902 (WO  
01/85797), published November 15, 2001 (Rodriguez, et  
al.) (**Exhibit 1**);
17. PCT International Publication No. WO 02/076503,  
(PCT/US01/19584), published October 3, 2002 (**Exhibit 2**);
18. PCT International Publication No. WO 03/048735,  
(PCT/US02/38859), published June 12, 2003 (**Exhibit 3**);
19. Aharoni, et al., "Copolymer 1 induces T cells of the T  
helper type 2 that crossreact with myelin basic protein and  
suppress experimental autoimmune encephalomyelitis", Proc.  
Natl. Acad. Sci. USA, 1997, 94, 10821-10826 (**Exhibit 4**);
20. Aharoni, et al., "Cop 1 Specific Suppressor Cells Inhibit  
Experimental Allergic Encephalomyelitis Induced by Either  
Mouse Spinal Cord Homogenate or Proteolipid Protein Peptide  
139-151", Neurology, 1997, Vol. 48, No. 3, A422 (**Exhibit  
5**);

21. Aharoni et al., "Bystander Suppression of Experimental Autoimmune Encephalomyelitis by T Cell Lines and Clones of the Th2 Type Induced by Copolymer 1", J. Neuroimmunol. 1998, 91(1-2), 135-146 (**Exhibit 6**);
22. Asakura et al., "A unique population of circulating autoantibodies promotes central nervous system remyelination", Multiple Sclerosis, 1998, 4, 217-221 (**Exhibit 7**);
23. Asakura et al., "Targeting of IgMk Antibodies to Oligodendrocytes Promotes CNS Remyelination", The Journal of Neuroscience, 1998, 18(19), 1700-1108 (**Exhibit 8**);
24. Bieber, et al., "Antibody-mediated remyelination: relevance to multiple sclerosis", Multiple Sclerosis, 2000, 6(2), S1-S5 (**Exhibit 9**);
25. Bieber, et al., "Humoral autoimmunity as a mediator of CNS repair", A Trends Guide to Neurodegenerative Disease and Repair/Review, 2001, 24(11), S39-S44 (**Exhibit 10**);
26. Duda, et al., "Human and Murine CD4 T Cell Reactivity to a Complex Antigen: Recognition of the Synthetic Random Polypeptide Glatiramer Acetate", The Journal of Immunology, 2000, 165, 7300-7307 (**Exhibit 11**);
27. Johnson, et al. "Copolymer 1 reduces relapse rate and improves disability in relapsing-remitting multiple sclerosis: results of a phase III multicenter, double-blind placebo-controlled trial. The Copolymer 1 Multiple

Sclerosis Study Group", Neurology, 45(7), 1268 (abstract)  
(Exhibit 12);

28. Lovell, K. and Jones, M., "CNS Infections, Spongiform Encephalopathy and Demyelinating Diseases," Karol Marcinkowski U. Med. Sci., Dept. Pathol., Poland, last updated on 2003-04-20, <URL:[http://ampat.amu.edu.pl/guzyuno/CNS\\_INFE.HTM](http://ampat.amu.edu.pl/guzyuno/CNS_INFE.HTM)> (Exhibit 13);
29. McGavern, et al. "Do Antibodies Stimulate Myelin Repair in Multiple Sclerosis?", The Neuroscientist, 1999, 5(1), 19-28 (Exhibit 14);
30. Merck Manual of Diagnosis and Therapy, Merck Research Laboratories, Whitehouse Section, N.J., 17<sup>th</sup> Ed., 1999, 1300-1303, 1312-1317 (Exhibit 15);
31. Pavelko, et al., "Acceleration in the Rate of CNS Remyelination in Lysolecithin-Induced Demyelination", The Journal of Neuroscience, 1998 18(7), 2498-2505 (Exhibit 16);
32. Pharmacia Biotech Directory, 1996, pages 340-341 (Exhibit 17);
33. Physician's Desk Reference, 2000, Medical Economics Co. Inc., Montvale, NJ, 3115 (Exhibit 18);
34. Rodriguez, et al., "Neurological Therapeutics, 1998, 15(3): 245-250 (Exhibit 19);
35. Sela, M., et al., "Synthetic Approaches to Vaccines for

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Infectious and Autoimmune Diseases" Vaccine, 1992, Vol. 10, Issue 14, 991-999 (**Exhibit 20**);

36. Teva, et al., "Copolymer-1 Glatiramer Acetate Copaxone Agent for Multiple Sclerosis", Drugs of the Future, 1998, Vol. 23, No. 2, 213-214 (**Exhibit 21**);
37. Warrington, et al., "Human monoclonal antibodies reactive to oligodendrocytes promote remyelination in a model of multiple sclerosis", PNAS, 2000, 97(12), 6820-6825 (**Exhibit 22**);
38. Warrington, et al., "Immunoglobulin-mediated CNS repair", J. Allergy Clin. Immunol., 2001, S121-S125 (**Exhibit 23**);
39. Wieseemann, et al., "Glatiramer Acetate (GA) induces IL-13/IL-5 secretion in naïve T cells", Journal of Neuroimmunology, 2001, 119, 137-144 (**Exhibit 24**);
40. Lampert, et al., "Expression of Matrix Metalloproteinases and Their Inhibitors in Human Brain Tumors", American Journal of Pathology, Vol. 153, No. 2, 1998, 429-437 (**Exhibit 25**);
41. Pereira, et al., "The Blood-Brain Barrier in HIV-associated Dementia", NeuroAids, Vol. 3, No. 2, 2000 (**Exhibit 26**);
42. Kieseier, et al., "Differential Expression of Matrix Metalloproteinases in Bacterial Meningitis", Brain, 1999, 122:1579-1587 (**Exhibit 27**).

Reference items 1-15 are either U.S. patents or U.S. patent application publications. Pursuant to 37 C.F.R. 1.98(a)(2),

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copies of references 1-15 are not being submitted.

Applicants request that the Examiner review the publications and make them of record in the subject application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, in addition to the enclosed \$180.00, is deemed necessary in connection with the filing of this Eighth Supplemental Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office			Atty. Docket No. <b>60623-A</b>		U.S. Serial No. <b>09/788,131</b>						
<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)					Applicant: <b>Adrian Gilbert et al.</b>								
					Filing Date: <b>February 16, 2001</b>		Group Art Unit <b>1644</b>						
<b>U.S. PATENT DOCUMENTS</b>													
Examiner Initial	Document Number				Date	Name	Class	Subclass	Filing Date if Appropriate				
	US	6	5	1	4	9	3	8	2/4/03	Gad, et al.			
	US	6	8	0	0	2	8	5	10/5/04	Rodriguez, et al.			
	US	6	8	0	0	2	8	7	10/5/04	Gad, et al.			
	US	6	8	4	4	3	1	4	1/18/05	Eisenbach-Schwartz, et al.			
	US	20	02	00	77	2	7	8	6/20/02	Yong et al.			
<b>FOREIGN PATENT DOCUMENTS</b>													
	Document Number				Date	Country	Class	Subclass	Translation				
									Yes	No			
	WO	0	1	8	5	7	9	7	11/15/01	PCT			
	WO	0	2	0	7	6	5	03	10/3/02	PCT			
	WO	0	3	0	4	8	7	35	6/12/03	PCT			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>													
	Aharoni, et al., "Copolymer 1 induces T cells of the T helper type 2 that crossreact with myelin basic protein and suppress experimental autoimmune encephalomyelitis", <u>Proc. Natl. Acad. Sci. USA</u> , 1997, 94, 10821-10826												
	Aharoni, et al., "Cop 1 Specific Suppressor Cells Inhibit Experimental Allergic Encephalomyelitis Induced by Either Mouse Spinal Cord Homogenate or Proteolipid Protein Peptide 139-151", <u>Neurology</u> , 1997, Vol. 48, No. 3, A422												
	Aharoni et al., "Bystander Suppression of Experimental Autoimmune Encephalomyelitis by T Cell Lines and Clones of the Th2 Type Induced by Copolymer 1", <u>J. Neuroimmunol.</u> 1998, 91(1-2), 135-146												
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	Asakura et al., "Targeting of IgMk Antibodies to Oligodendrocytes Promotes CNS Remyelination", <u>The Journal of Neuroscience</u> , 1998, 18(19), 1700-1108												
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Examiner Initial		Document Number				Date	Name	Class	Subclass	Filing Date if Appropriate	
	US	20	02	00	55	4	6	6	5/9/02	Aharoni, et al.	
	US	20	02	01	07	3	8	8	8/8/02	Vandenbark, et al.	
	US	20	02	01	15	1	0	3	8/22/02	Gad, et al.	
	US	20	02	01	82	2	1	0	12/5/02	Rodriguez, et al.	
	US	20	03	01	70	7	2	9	9/11/03	Klinger, Ety	
<b>FOREIGN PATENT DOCUMENTS</b>											
		Document Number				Date	Country	Class	Subclass	Translation	
										Yes      No	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>											
		Duda, et al., "Human and Murine CD4 T Cell Reactivity to a Complex Antigen: Recognition of the Synthetic Random Polypeptide Glatiramer Acetate", The Journal of Immunology, 2000, <u>165</u> , 7300-7307									
		Johnson, et al. "Copolymer 1 reduces relapse rate and improves disability in relapsing-remitting multiple sclerosis: results of a phase III multicenter, double-blind placebo-controlled trial. The Copolymer 1 Multiple Sclerosis Study Group", Neurology, 45(7), 1268 (abstract)									
		Lovell, K. and Jones, M., "CNS Infections, Spongiform Encephalopathy and Demyelinating Diseases," Karol Marcinkowski U. Med. Sci., Dept. Pathol., Poland [online] [retrieved on 2003-04-19]. Retrieved from internet: <URL: <a href="http://ampat.amu.edu.pl/guzyuno/CNS_INFE.HTM">http://ampat.amu.edu.pl/guzyuno/CNS_INFE.HTM</a> >									
		McGavern, et al. "Do Antibodies Stimulate Myelin Repair in Multiple Sclerosis?", The Neuroscientist, 1999, <u>5</u> (1), 19-28									
		Merck Manual of Diagnosis and Therapy, Merck Research laboratories, Whitehouse Station, N.J., 17 <sup>th</sup> Ed., 1999, 1300-1303, 1312-1317									
		Pavelko, et al., "Acceleration in the Rate of CNS Remyelination in Lysolecithin-Induced Demyelination", The Journal of Neuroscience, 1998 <u>18</u> (7), 2498-2505									
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<div style="display: flex; justify-content: space-around; align-items: center;"> <div> <b>INFORMATION DISCLOSURE CITATION</b>            (Use several sheets if necessary)         </div> <div style="border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center;">             O I P E              APR 28 2005              PATENT &amp; TRADEMARK OFFICE           </div> </div>							
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	US	20 04 01 06 5 5 4	6/3/04	Konfino, et al.			
	US	20 05 00 14 6 9 4	1/20/05	Yong, et al.			
	US	20 05 00 19 3 2 2	1/27/05	Rodriguez, et al.			
	US	20 05 00 38 2 3 3	2/17/05	Gad, et al.			
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		Physician's Desk Reference, 2000, Medical Economics Co. Inc., Montvale, NJ, 3115					
		Rodriguez, et al., "Neurological Therapeutics, 1998, 15(3): 245-250					
		Sela, M., et al., "Synthetic Approaches to Vaccines for Infectious and Autoimmune Diseases" Vaccine, 1992, Vol. 10, Issue 14, 991-999					
		Teva, et al., "Copolymer-1 Glatiramer Acetate Copaxone Agent for Multiple Sclerosis", Drugs of the Future, 1998, Vol. 23, No. 2, 213-214					
		Warrington, et al., "Human monoclonal antibodies reactive to oligodendrocytes promote remyelination in a model of multiple sclerosis", PNAS, 2000, 97(12), 6820-6825					
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